Single Bench

IN THE HIGH COURT OF JUDICATURE, AT BILASPUR (C.G.)

Writ Petition No. 823 /2005

PETITIONER : Ku. Sushma Dwivedi aged about 26 years, D/o. Shri Uttam Prasad Dwivedi, R/o. Q.No. G/N/5, Sector-C Arpa Irrigation Colony, Sakri, Bilaspur (C.G.)

W.P. No. 825/05 Presented by Shri Vivek Sharma dated 28/2/05

VERSUS

RESPONDENTS 1] Guru Ghasidas University, through Registrar, Bilaspur (C.G.)

2] College of I.T. & applied science through Principal, Bilaspur (C.G.)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA.

(47)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. 823 **सन्** 2005

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	12.04.2005:- Shri Vivek Sharma, counsel for the petitioner. Shri Manindra Shrivastava, Sr. Advocate with Shri Amit Verma, counsel for the respondents. The instant petition has been filed by the petitioner being aggrieved by the result of revaluation of her answer sheets of Post Graduate Diploma in Computer Applications conducted by respondent No.1. The grievance of the petitioner is that in the main examination she secured 38 marks in Computer Fundamentals and 40 marks in Data Base Management System and Distributed Processing. The petitioner applied for revaluation of the above two subjects and as per the revaluation result, she got 22 more marks in Data Base Management System and Distributed Processing but the marks obtained by her in Computer Fundamentals remained unchanged and as such she was declared as unsuccessful. By order dated 10.03.2005 this Court directed respondent No.1 to produce the answer sheets of the above subject along with the Lecturer of the said subject so that revaluation of the answer sheet could be correctly done. The petitioner was also directed to deposit a sum of Rs.1,000/- in case her petition fails. The matter was again taken up on 22.03.2005 and as per the order dated 22.03.2005, the matter is taken up today.	

(पीछे देखिये)

XI-HC-22

(48)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. 823 सन् 2005

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

The answer sheet of the above subject was produced by respondent No.1 and the same was handed over to Shri Amit Saxena, Professor in Information, Science and Technology, Guru Ghasidas University, Bilaspur for evaluation in the Court itself and according to the evaluation done in the Court, total 42 marks were allotted to the petitioner.

The provisions of Sub-clause 3 of Clause 26 of the Ordinance-6 is being reproduced as under;

> *"If the marks awarded in the paper by any of the two revaluers is higher than from the marks given by the original examiner by more than 10% of the maximum marks in the paper, the average of the marks of the awarded by the two nearest examiners shall be taken to represent the correct valuation. This average of marks shall be awarded to the candidate for the revision of his result. "*

However, in the present matter, the mark awarded on revaluation as per the direction of this Court is 42 which is less than 10% of the maximum marks and as such no benefit of revaluation is available to the petitioner and the result of the petitioner remains unchanged.

In the aforesaid circumstances, the instant petition is dismissed. Answer sheet is returned to respondent No.1.

However, there shall be no order as to costs.

Sd/-
Dhirendra Mishra
Judge

(पीछे देखिये)